

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DONNA POLYNICE,

Plaintiff,

-v-

8:12-CV-1381
(DNH/ATB)

CAROLYN W. COLVIN,

Defendant.

APPEARANCES:

OFFICE OF MARK A. SCHNEIDER
Attorney for Plaintiff
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Plattsburgh, NY 12901

OFFICE OF GENERAL COUNSEL
Social Security Administration
Region II
Attorneys for Defendant
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DAVID N. HURD
United States District Judge

OF COUNSEL:

MARK A. SCHNEIDER, ESQ.

REBECCA H. ESTELLE, ESQ.

DECISION and ORDER

Plaintiff Donna Polynice filed this action seeking judicial review of a final decision of the Commissioner of Social Security denying her application for disability insurance benefits and supplemental security income payments. By Report-Recommendation dated October 18, 2013, the Honorable Andrew T. Baxter, United States Magistrate Judge, recommended

that the decision of the Commissioner be affirmed, plaintiff's complaint be dismissed, and that plaintiff's letter motion requesting "Consideration of Subsequent Fully Favorable ALJ Decision" be denied. Plaintiff filed timely objections to the Report-Recommendation.

Based upon a de novo determination of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

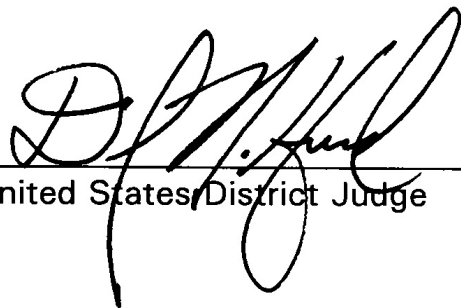
Accordingly, it is

ORDERED that

1. The Commissioner's decision is AFFIRMED;
2. Plaintiff's complaint is DISMISSED in its entirety; and
3. Plaintiff's letter motion requesting "Consideration of Subsequent Fully Favorable ALJ Decision" is DENIED.

The Clerk is directed to file a judgment accordingly.

IT IS SO ORDERED.



United States District Judge

Dated: November 19, 2013
Utica, New York.